

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GEORGE A. BOYLE, et al.,) 1:03-cv-05162 GSA
Plaintiffs,)
v.) **ORDER VACATING STATUS
CONFERENCE IN LIGHT OF NEED
FOR THE CONTINUED STAY OF
THESE PROCEEDINGS**
COUNTY OF KERN, et al.,)
Defendants.)

)

On December 2, 2011, this Court continued the telephonic status conference to January 11, 2012, before the undersigned. The parties were to file an updated joint statement one week prior to the hearing, and were to specifically address the filing of any petition for writ of certiorari in the United States Supreme Court by one of the named Plaintiffs, Victor VeVea. (See Doc. 95.)

On this date however, it has come to this Court's attention that a Petition for Writ of Certiorari was in fact filed on behalf of Victor VeVea on December 7, 2011, with the United States Supreme Court. The matter has been assigned case number 11-7787.

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In light of the aforementioned, and the fact that the parties previously agreed such a filing would require the continued stay of these proceedings (*see* Doc. 91 at 5), the status conference set for January 11, 2012, at 10:30 a.m., is hereby VACATED. This matter remains STAYED pending the outcome of the matter now pending before the United States Supreme Court, entitled *Victor VeVeia v. United States*. Finally, the parties SHALL file a joint status report with this Court every 120 days regarding the status of the aforementioned matter. However, the first status report shall be filed no later than March 8, 2012, or, should the Supreme Court deny Certiorari prior to that date, then within 5 Court days of the denial.

IT IS SO ORDERED.

Dated: December 16, 2011

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE